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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR 11-00476 SBA
	)	
Plaintiff,	)	STIPULATION AND ORDER
	)	CONTINUING STATUS CONFERENCE
v.	)	AND EXCLUDING TIME
	)	
PATRICK ONEAL SHIELDS,	)	
aka Patrick Shields, Jr.,	)	
aka Patrick Shields,	)	
aka "P-Nickel,"	)	
aka "Nickel,"	)	
	)	
Defendant.	)	

Plaintiff, by and through its attorney of record, and defendant, by and through his attorney of record, hereby stipulate and ask the Court to find as follows:

1. A status conference in this matter is currently scheduled for 10:00 a.m. on Friday, September 30, 2011. Defense counsel needs the additional time to review the discovery in the case, conduct additional legal research, and prepare a defense or motions strategy. In particular, defendant's counsel needs to research issues related to a potential motion to suppress and the impact of any, of that motion of defendant's sentencing exposure. The parties believe that

STIPULATION AND ORDER RESCHEDULING  
HEARING; EXCLUDING TIME

1 failure to grant the above-requested continuance would deny defendant's counsel and defendant  
2 the reasonable time necessary for effective preparation taking into account the exercise of due  
3 diligence and that the ends of justice served by continuing the case as requested outweigh the  
4 interest of the public and defendant in a trial within the date prescribed by the Speedy Trial Act.

5 2. Thus, the parties respectfully request that the Court find that the time period from  
6 September 30, 2011, to October 31, 2011, is excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A),  
7 (B)(iv) because it results from a continuance granted by the Court at the defendant's request and  
8 on the basis of the Court's finding that the ends of justice served by taking such action outweigh  
9 the best interest of the public and the defendant in a speedy trial and because failure to grant the  
10 continuance would unreasonably deny defense counsel the time necessary for effective  
11 preparation for trial, taking into account due diligence.

12 IT IS SO STIPULATED.

13 MELINDA HAAG  
14 United States Attorney

15 Dated: September 27, 2011

16 /s/  
17 GARTH HIRE  
Assistant United States Attorney  
Attorney for United States of America

18 Dated: September 27, 2011

19 /s/  
HARRIS TABACK  
20 Attorney for Defendant  
Patrick Oneal Shields

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FOR GOOD CAUSE SHOWN, IT IS SO FOUND AND ORDERED THAT:

1. The currently scheduled September 30, 2011, status conference hearing is vacated. A status conference hearing is now scheduled for 10:00 a.m. on October 30, 2011.

2. The time period from September 30, 2011, to October 31, 2011, is deemed excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(iv) because it results from a continuance granted by the Court at the defendant's request and on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial and because failure to grant the continuance would unreasonably deny defense counsel the time necessary for effective preparation for trial, as set forth above, taking into account due diligence, specifically, defendant's need to conduct additional legal research regarding a potential motion to suppress, and to prepare a defense or motions strategy.

DATED: 9/28/11

*Saundra B. Armstrong*  
HONORABLE SAUNDRA BROWN ARMSTRONG  
UNITED STATES DISTRICT JUDGE